



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,106	02/27/2002	Robert Allan Unger	SNY-R-976	6776
24337	7590	10/16/2008		
MILLER PATENT SERVICES				
2500 DOCKERY LANE				
RALEIGH, NC 27606				
EXAMINER				
SHANG, ANNAN Q				
ART UNIT		PAPER NUMBER		
2424				
MAIL DATE		DELIVERY MODE		
10/16/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/084,106

Applicant(s)

UNGER, ROBERT ALLAN

Examiner

ANNAN Q. SHANG

Art Unit

2424

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 5/55/08/8/4/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Arguments

1. Applicant's arguments filed 07/25/08 have been fully considered but they are not persuasive.

With respect to the rejection of the last office action mailed 05/01/08, Applicant amends claims and further argues that the prior art of record Blatter et al (5,838,873) do not teach the claim limitations (see page 12+ of Applicant's Remarks).

In response, Examiner disagrees. Examiner notes Applicant's arguments, however, Blatter teaches all the claims limitations, i.e., Head end or Broadcaster (HE), constructs a program association table (PAT) that associates programs with primary PIDs (see figs.2 and 3); The HE further constructs a plurality of program map tables (PMT) (see col.7, lines 5-48 and col.8, line 16-col.9, line 41, where the same program with a PID number includes a plurality of PMTs for the PID), one for each program in the PAT; HE further constructs a lookup table that maps at least one primary PID to at least one shadow PID (col.2, lines 38-65, col.3, lines 46-49, col.4, line 35-col.5, line 54, col.8, line 16-53, col.9, line 23-col.10, line 1+ and col.11, line 10+); and broadcasts the PAT, the PMTs and the lookup table over the content delivery medium (col.3, lines 46-49, col.4, line 35-col.5, line 54 and col.9, line 23-col.10, line 1+). As illustrated in figures 2+ and the various cited columns, Blatter clearly discloses constructing PAT and associating programs with PIDs, constructs a plurality of PMTs for each of the PAT and a LUT to map a PID to one least a PID with different version number or offset. Blatter further encrypts various portions of the program. Hence the rejection is

Art Unit: 2624

proper, meets all the claims limitations as repeated bellow. **This office action is made Final.**

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1-51 are rejected under 35 U.S.C. 102(b) as being anticipated by **Blatter et al (5,838,873)**.

As to claim 1, **Blatter** discloses packetized data formats for digital data storage media and further discloses a method of providing multiple packet identifier (PID) information for a multiple carriage content delivery system, comprising:

(Head end or Broadcaster) Constructing a program association table (PAT) that associates programs with primary PIDs; constructing a plurality of program map tables (PMT), one for each program in the PAT; constructing a lookup table that maps at least one primary PID to at least one shadow PID (col.2, lines 38-65, col.3, lines 46-49, col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+); and broadcasting the PAT, the PMTs and the lookup table over the content delivery medium (col.3, lines 46-49, col.4, line 35-col.5, line 54 and col.9, line 23-col.10, line 1+).

As to claim 2, Blatter further discloses where the lookup table is broadcast as one or more MPEG user private data packets (col.10, lines 25-33, col.11, lines 46-57, col.12, line 27-col.13, line 1+).

As to claim 3, Blatter further discloses where it is carried out at a cable television system (col.2, lines 38-65 and col.3, lines 46-49, col.4, line 35).

As to claim 4, **Blatter** further discloses a method of demultiplexing a data stream having multiple packet identifiers for a program, comprising:

Receiving (fig.1) a program association table (PAT) that associates programs with primary PIDs; receiving a program map table (PMT); receiving a lookup table relating primary PIDs to shadow PIDs (col.3, lines 46-49, col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+);

Determining (Controller 115), from the PMT and the lookup table that a program is associated with both a primary PID and a shadow PID; and setting a PID filter to permit passage of packets having both primary and shadow PIDs (col.3, lines 46-49, col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+)

As to claim 5, Blatter further discloses further comprising establishing a demultiplexer output path for both the primary PID and the shadow PID (col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+)

As to claim 6, Blatter further discloses where the lookup table contains a shadow PID for a shadow entitlement control message (ECM), and further comprising initializing a decrypter using the shadow ECM (col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 7, Blatter further discloses where it is carried out in a television set-top box (fig.1).

As to claim 8, **Blatter** further discloses a method of constructing a stream of data packets having primary and shadow packet identifiers (PIDs), the packets having headers and payloads, comprising:

A micro computer (Controller 'C' 115); a first primary packet buffer and a second primary packet buffer (Buffer 60);

A demultiplexer Receiving an incoming data stream having packets with the primary and shadow PIDs; providing a stream of packets having the primary PID to a first buffer (Buffer 60) col.3, lines 46-49, col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+);

Detecting (C-115) a packet having the shadow PID and a shadow payload in the incoming data stream; switching the stream of packets having the primary PID to a second buffer (Buffer 60) in response to the detecting; and searching (C-115) a last packet stored in the first buffer for a packet corresponding to the packet having the shadow PID (col.3, lines 46-49, col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 9, Blatter further discloses generating an interrupt as a result of detecting the packet having the shadow PID (col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 10, Blatter further discloses switching is carried out in response to the interrupt (col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 11, Blatter further discloses generating a packet having the primary PID and the shadow payload (col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 12, Blatter further discloses generating comprises substituting the primary PID for the shadow PID into the packet having the shadow PID (col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 13, Blatter further discloses the generating comprises substituting the shadow payload into the matching packet (col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 14, Blatter further discloses where the corresponding packets have the matching sequence number (col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 15, Blatter further discloses where the corresponding packets are encrypted under two different encryption techniques (col.4, line 35-col.5, line 54, col.8, line 16-53 and col.9, line 23-col.10, line 1+).

As to claim 16, the claimed "A storage medium storing instructions which, when executed on a programmed processor..." is met as previously discussed with respect to claim 8.

As to claim 17, the claimed "A method of constructing a stream of data packets having primary and shadow packet identifiers (PIDs), the packets having headers and payloads..." is composed of the same structural elements that were discussed with respect to the rejection of claim 8.

Claim 18 is met as previously discussed with respect to claim 9.

Art Unit: 2624

Claim 19 is met as previously discussed with respect to claim 10.

Claim 20 is met as previously discussed with respect to claim 11.

Claim 21 is met as previously discussed with respect to claim 12.

Claim 22 is met as previously discussed with respect to claim 13.

Claim 23 is met as previously discussed with respect to claim 14.

Claim 24 is met as previously discussed with respect to claim 15.

Claim 25 is met as previously discussed with respect to claim 16.

As to claim 26, the claimed "A method of constructing a stream of data packets having primary and shadow packet identifiers (PIDs), the packets having headers and payloads..." is composed of the same structural elements that were discussed with respect to the rejection of claim 8.

Claim 27 is met as previously discussed with respect to claim 9.

Claim 28 is met as previously discussed with respect to claim 10.

Claim 29 is met as previously discussed with respect to claim 11.

Claim 30 is met as previously discussed with respect to claim 12.

Claim 31 is met as previously discussed with respect to claim 13.

Claim 32 is met as previously discussed with respect to claim 14.

Claim 33 is met as previously discussed with respect to claim 15.

Claim 34 is met as previously discussed with respect to claim 16.

As to claim 35 "A method of constructing a stream of data packets having primary and shadow packet identifiers (PIDs), the packets having headers and payloads..." is composed of the same structural elements that were discussed with respect to the rejection of claim 8.

Art Unit: 2624

Claim 36 is met as previously discussed with respect to claim 9.

Claim 37 is met as previously discussed with respect to claim 10.

Claim 38 is met as previously discussed with respect to claim 11.

Claim 39 is met as previously discussed with respect to claim 12.

Claim 40 is met as previously discussed with respect to claim 13.

Claim 41 is met as previously discussed with respect to claim 14.

Claim 42 is met as previously discussed with respect to claim 15.

Claim 43 is met as previously discussed with respect to claim 16.

As to claim 44, the claimed "A digital receiver apparatus that reconstitutes/reconstructs a stream of data packets..." is composed of the same structural elements that were discussed with respect to the rejection of claim 8.

Claim 45 is met as previously discussed with respect to claim 11.

Claim 46 is met as previously discussed with respect to claim 12.

Claim 47 is met as previously discussed with respect to claim 13.

Claim 48 is met as previously discussed with respect to claim 14.

Claim 49 is met as previously discussed with respect to claim 15.

As to claim 50, Blatter further discloses where the program means comprises means for reading a DMA register (col.5, line 47-col.6, line 53).

Claim 51 is met as previously discussed with respect to claim 7.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2624

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ANNAN Q. SHANG** whose telephone number is **(571)272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 2624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative or access** to the automated information system, **call 800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

/Annan Q Shang/

Primary Examiner, Art Unit 2624

Annan Q Shang